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STATUS AND ENTITY
BRANCH

PATENT

2004 APR 14 AM 8:54

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/890,646

Confirmation No. 5225

Applicant : Shinichi AYABE et al.

Filed : August 2, 2001

TC/A.U. : 1638

Examiner : Russell Kallis

Dkt. No. : JKM-001

Cust. No. : 20374

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

April 9, 2004

Attention: **Refund Section
Accounting Division
Office of Finance**

Sir:

The undersigned respectfully requests a refund of \$475.00 in the subject application.

Applicants filed a response to the Office Action dated March 13, 2003, on September 15, 2003. The non-extendible period for response to the action was six months from the mailing date of the action, i.e., September 13, 2003, which was a Saturday. Applicants also filed a Petition for Extension of Time on September 15, 2003, with a check for \$465.00 (small entity) (this fee increased on October 1, 2003).

On January 30, 2004, the Examiner in charge of this

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Shinichi AYABE et al.

Serial Number: 09/890,646

Group Art Unit: 1638

Filed: August 2, 2001

Examiner: R. Kallie

For: POLYNUCLEOTIDE ENCODING 2-HYDROXYISOFLAVANONE SYNTHASE

PETITION FOR EXTENSION OF TIME

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

September 15, 2003

Sir:

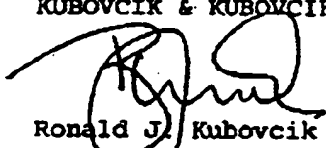
Applicants petition the Commissioner of Patents and Trademarks to extend the time for response to the Office Action dated March 13, 2003, for three months from June 13, 2003, to September 13, 2003.

A check in the amount of \$465.00 is attached hereto to cover the cost of the extension. Please charge any additional required fees or credit any overpayment to our Deposit Account No. 111833.

12/12/2004 CDESSAU 00000004 111833 09890646
11 FC:2253 475.00 DA

Respectfully submitted,

KUBOVCIK & KUBOVCIK


Ronald J. Kubovcik
Reg. No. 25,401

Atty. Case No. JKM-001
The Farragut Building
Suite 710
900 17th Street, N.W.
Washington, D.C. 20006
Tel: (202) 887-9023
Fax: (202) 887-9093
RJK/cfm

PAGE 4447 * RCVD AT 12/02/2004 4:11:01 PM [Eastern Standard Time] * SVR:USPTO-EFYPF-1/0 * DNS:8728306 * CSID:202 887 0018 * DURATION (mm:ss):10:42

Adjustment date: 04/26/2004 EEKUBAY1
02/12/2004 CDESSAU 00000004 111833 09890646
01 FC:2253 475.00 CR

Serial No. 09/890,646
REQUEST FOR REFUND

STATUS AND EVIDENCE
BRANCH

2004 APR 14 AM 8:54

application, Russell Kallis, advised the undersigned that the papers filed on September 15, 2003, had been lost. Examiner Kallis requested that the undersigned refile the lost papers.

Applicants refiled the papers filed on September 15, 2003, on January 30, 2004, along with a copy of check No. 5619 for \$465.00 for a 3-month extension of time and a copy of the checking account statement of the firm Kubovcik & Kubovcik showing that check No. 5619 was cashed on September 23, 2003, as shown in the attached copy of the bank statement of the firm's account.


However, the Office charged \$475.00 to our Deposit Account No. 111833 on February 12, 2004, for a three-month extension of time. A copy of the monthly statement of our Deposit Account (Account No. 111833) with pertinent portions marked is enclosed.

A copy of a "RECEIPT OF FILING PAPERS" showing the United States Patent and Trademark Office receipt stamp and identifying the response is also enclosed.

It is respectfully requested that the refund be credited to Deposit Account NO. 111833.

Respectfully submitted,

KUBOVCIK & KUBOVCIK



Keiko Tanaka Kubovcik
Reg. No. 40,428

Serial No. 09/890,646
REQUEST FOR REFUND

STATUS AND ENTRY
BRANCH

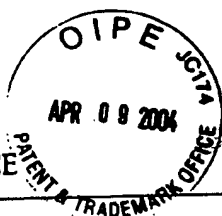
2004 APR 14 AM 8:55

Atty. Docket No. JKM-001
The Farragut Bldg.
Suite 710
900 17th Street, N.W.
Washington, D.C. 20006
Tel: 202-887-9023
Fax: 202-887-9093
KTK/jbf

Enclosures: Copy of monthly statement of our Deposit Account
(Account No. 111833)
Copy of Bank Statement of the Firm's Account
Copy of a "RECEIPT OF FILING PAPERS"



UNITED STATES
PATENT AND
TRADEMARK OFFICE

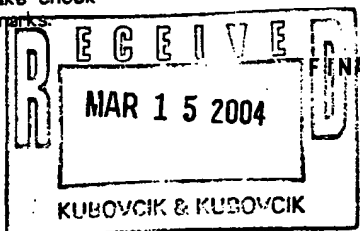


STATUS AND ENTITY
BRANCH

MONTHLY STATEMENT OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

KUBOVCIK & KUBOVCIK
KEIKO T KUBOVCIK
900 17TH STREET NW
SUITE 710
WASHINGTON DC 20006



2004 APR 14 AM 8:55

Under Secretary of Commerce for Intellectual Property and
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| Date | 2-27-04 |
| Page | 1 |

PLEASE SEND REMITTANCES TO:
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| DATE POSTED | | | CONTROL NO. | DESCRIPTION (Serial, Patent, TM, Order) | DOCKET NO. | FEE CODE | CHARGES/ CREDITS | BALANCE |
|--|-----|-----|-------------|--|-----------------|---------------|---------------------|-----------------|
| MO. | DAY | YR. | | | | | | |
| 2 | 12 | 04 | 4 | 09890646 | JKM-001 | 2253 | 475.00 | 2416.00 |
| 2 | 20 | 04 | 332 | 09384386 | N155-039 | 8021 | 40.00 | 2376.00 |
| 2 | 24 | 04 | 564 | 09889323 | 14Y-159 | 1504 | 300.00 | 2076.00 |
| AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT | | | | | OPENING BALANCE | TOTAL CHARGES | TOTAL CREDITS | CLOSING BALANCE |
| | | | | | 2891.00 | 815.00 | 0.00 | 2076.00 |

*** O.D. INDICATES OVERDRAWN

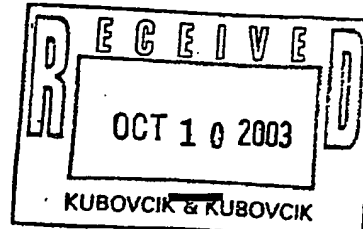
BB&T

BB&T - DISTRICT OF COLUMBIA

 STATUS AND STATEMENT DATE
 BRANCH 09-30-03
 PAGE 1 OF 9

2004 APR 14 AM 8:55

5160054133

 410-01-01-00 12201 0 C 001 30 55 03
 KUBOVCIK & KUBOVCIK
 900 17TH ST NW STE 710
 WASHINGTON DC 20006-2515


ELITE BUSINESS CHECKING-MM

ACCOUNT NUMBER
TAXPAYER ID5160054133
522007967

-ACCOUNT SUMMARY-

 PREVIOUS BALANCE AS OF 08-29-03
 21 DEPOSITS/CREDITS
 59 CHECKS/DEBITS
 SERVICE CHARGE
 NEW BALANCE AS OF 09-30-03

-CHECKS PAID-

| DATE | CHECK NUMBER | AMOUNT | REFERENCE NUMBER | DATE | CHECK NUMBER | AMOUNT | REFERENCE NUMBER |
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| 09-11 | 5572 | | 33547687 | 09-05 | 5603 | | 52723292 |
| 09-11 | 5573 | | 33547686 | 09-08 | 5604 | | 32335845 |
| | 5574 | | | 09-05 | 5605 | | 32187465 |
| 09-02 | 5577 | | 33629375 | 09-08 | 5606 | | 31388034 |
| 09-03 | 5578 | | 31564637 | 09-08 | 5607 | | 31388035 |
| 09-02 | 5579 | | 33629376 | 09-10 | 5608 | | 33114709 |
| 09-02 | 5580 | | 33629383 | 09-12 | 5609 | | 33751692 |
| 09-02 | 5581 | | 33749152 | 09-18 | 5610 | | 33440742 |
| 09-03 | 5582 | | 31648641 | 09-18 | 5611 | | 33440737 |
| 09-03 | 5583 | | 31698339 | 09-24 | 5612 | | 33429743 |
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| 09-02 | 5585 | | 33538246 | 09-18 | 5614 | | 33440746 |
| 09-03 | 5586 | | 31670093 | 09-18 | 5615 | | 33440741 |
| 09-02 | 5587 | | 33161363 | | 5616 | | |
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| 09-03 | 5592 | | 32818056 | 09-24 | 5623 | | 33429733 |
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| 09-03 | 5594 | | 31514373 | 09-26 | 5625 | | 31623290 |
| 09-04 | 5595 | | 31024914 | 09-23 | 5626 | | 32610256 |
| 09-04 | 5596 | | 07519563 | 09-26 | 5627 | | 31623315 |
| 09-02 | 5597 | | 33562015 | 09-30 | 5628 | | 33178843 |
| 09-26 | 5598 | | 31734871 | | 5629 | | |
| 09-05 | 5599 | | 32036699 | 09-30 | 5630 | | 33178849 |
| 09-02 | 5600 | 6115107136 | 6115107136 | 09-26 | 5631 | | 32688548 |
| 09-08 | 5601 | | 07273275 | | 5632 | | |
| 09-05 | 5602 | | 32047044 | 09-30 | 5634 | | 33321610 |

*** INDICATES A SKIP IN SEQUENTIAL CHECK NUMBERS

-OTHER WITHDRAWALS/DEBITS-

| DATE | AMOUNT | DESCRIPTION | REFERENCE NUMBER |
|-------|--------|----------------------|------------------|
| 09-04 | | PAYROLL PAYCHEX INC. | 2466832529 |
| | | KUBOVCIK & KUBOVCIK | 2466832529 |
| 09-05 | | TAXES PAYCHEX TPS | 2470809754 |
| | | KUBOVCIK & KUBOVCIK | 2470809754 |

RECEIPT OF FILING OF PAPERS

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PATENT APPLICATION

STATUS AND ENTITY
Atty. Docket No. JK880015

In re the application of: APR 09 2004

2004 APR 14 AM 8:55

Shinichi AYABE et al.

Group Art Unit: 1638

Serial Number: 09/890,646

Examiner: R. Kallis

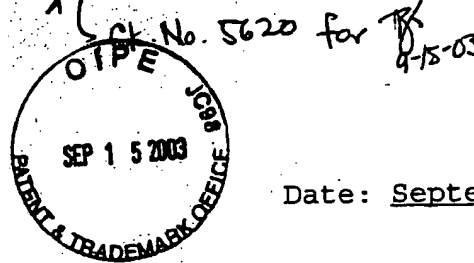
Filed: August 2, 2001

For: POLYNUCLEOTIDE ENCODING 2-HYDROXYISOFLAVANONE SYNTHASE

PAPERS FILED HEREWITH:

RESPONSE UNDER 37 C.F.R. § 1.111 TO THE
OFFICE ACTION DATED MARCH 13, 2003

(With Check No. 5619 for \$465.00 for
three-month extension of response period
and \$639.00 for 71 extra claims)



KUBOVCIK & KUBOVCIK
The Farragut Building
Suite 710
900 17th Street, N.W.
Washington, D.C. 20006
Tel: (202) 887-9023
Fax: (202) 887-9093
RJK/cfm

Date: September 15, 2003

September
(Due: ~~June~~ 13, 2003)

KTK
9/15/03

